IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SIXTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

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WRIT PETITION NO : 15221 of 2004

Between:

1 Vadde Chinna Maddilety S/o. Vadde Chenchanna
R/o. 51/12-12G, Bellary Road, Kurnool.
2 Vadde Pedda Maddiletty S/o. Vadde Chenchanna
51/12/12G, Bellary Road, Kurnool.
3 Vadde Pullamma S/o. Vadde Chenchanna
R/o. 51/12-12G, Bellary Road, Kurnool.

..... PETITIONER(S)

AND

1 The Collector (Social Welfare), Kurnool District, Kurnool.
2 The Revenue Divisional Officaer, Kurnool.
3 The Mandal Revenue Officer, Kallur Mandal, Kurnool District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not disposing the application Dt. 17.6.2000 filed by the petitioners as illegal and arbitrary and to direct the respondents to dispose of the application dt. 17.6.2000 filed under section 28-A of the Land Acquisition Act by redetermining the compensation as per the Judgment in O.P.No.46 of 1996 and batch dt. 19.5.2000 on the file of the Additional Senior Civil Judge's Court Kurnool, regarding to the lands of the petitioners bearing Survey Nos.

123/2A and 123/2C admeasuring Ac. 10-23 Cents situated at Kallur village, kurnool District in Award No.13/84 dt. 21.3.1984.

Counsel for the Petitioner:MR.V.MANOHAR RAO

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following ORDER:

Heard the learned counsel for the petitioners and also the learned Government Pleader for Revenue appearing for the respondents.

The petitioners, whose lands were acquired, not availed the remedy under reference under Section 18 of the Land Acquisition Act and made an application under Section 28-A of the Land Acquisition Act before the third respondent. It is stated that some of the claimants of the same award availed the benefit under Section18 of the Land Acquisition Act seeking reference and the Civil Court enhanced the compensation in O.P.No.44 of 1996, dated 19-05-2000.

The application filed by the petitioners under Section 28-A of the Land Acquisition Act on 17-06-2000 for redetermination of compensation is still pending and the same has not been disposed of by the third respondent in spite of the fact that the award of the reference in O.P.No.44 of 1996 and batch was confirmed by this Court in A.S.No.3287 of 2000 and batch, dated 13-02-2003 and S.L.P. filed against same was dismissed by the Supreme Court on 06-01-2004. The gravamen of the complaint is that in spite of attaining finality, the respondents are not so far re-determined the compensation.

In view of the same, the respondents are hereby directed to pass appropriate orders on the application filed by the petitioners under Section 28-A of the Land Acquisition Act for redetermination of the compensation within a period of three months from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No costs.

26th AUGUST, 2004.

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To

1 The Collector (Social Welfare), Kurnool District, Kurnool.
2 The Revenue Divisional Officaer, Kurnool.
3 The Mandal Revenue Officer, Kallur Mandal, Kurnool District.

4 Two CCs to the Government Pleader for Revenue, A.P.High Court Buildings, Hyderabad.(OUT)

5 Two CD copies.